

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

SEP - 8 2005

CLERK
U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA)
v.) CR. NO. 2:05CR216-F
TIMOTHY WILLIAMS) [21 USC 841(a)(1);
) 18 USC 924(c)(1)(A);
) 18 USC 922(g)(1)]
) INDICTMENT

The Grand Jury charges:

COUNT 1

On or about June 13, 2005, in Montgomery, Alabama, in the Middle District of Alabama,

TIMOTHY WILLIAMS,

defendant herein, did knowingly and intentionally possess with intent to distribute marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 2

On or about June 13, 2005, in Montgomery, Alabama in the Middle District of Alabama,

TIMOTHY WILLIAMS,

defendant herein, did knowingly use and carry, during and in relation to, and did knowingly possess in furtherance of a drug trafficking crime as set forth in Count 1 above, which allegation the Grand Jury realleges and incorporates by references herein, for which the defendant may be prosecuted in a Court of the United States, a firearm, namely a Ruger, Model P89, 9mm pistol, serial # 311-98162; a Rossi, .38 caliber revolver, serial # W216081; a Strum Ruger, .223 caliber rifle, serial # 195-57105 and a Norinco, Model SKS, serial #01125 or 1701125. All in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 3

On or about June 13, 2005, in Montgomery, Alabama in the Middle District of Alabama,

TIMOTHY WILLIAMS,

defendant herein, having been previously convicted in a court, of a crime punishable by imprisonment for a term in excess of one year, to-wit: Theft of Property, First Degree in the Circuit Court of Montgomery County (CC 98-282), did knowingly and willfully possess a firearm, in and affecting commerce, that is a Ruger, Model P89, 9mm pistol, serial # 311-98162; a Rossi, .38 caliber revolver, serial # W216081; a Strum Ruger, .223 caliber rifle, serial # 195-57105 and a Norinco, Model SKS, serial #01125 or 1701125, and ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

- A. Count 3 of this indictment is hereby repeated and incorporated herein by reference.
- B. Upon conviction for the violation of Title 18, United States Code, Section 922(g)(1), as alleged in Count 3 of this indictment, the defendant,

TIMOTHY WILLIAMS,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

a Ruger, Model P89, 9mm pistol, serial # 311-98162; a Rossi, .38 caliber revolver, serial # W216081; a Strum Ruger, .223 caliber rifle, serial # 195-57105 and a Norinco, Model SKS, serial #01125 or 1701125, and ammunition.

- C. Upon conviction for the violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 924(c)(1)(A), as alleged in Counts 1 and 2 of this

indictment, the defendant,

TIMOTHY WILLIAMS,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

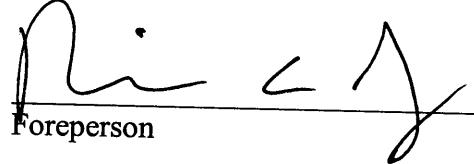
a Ruger, Model P89, 9mm pistol, serial # 311-98162; a Rossi, .38 caliber revolver, serial # W216081; a Strum Ruger, .223 caliber rifle, serial # 195-57105 and a Norinco, Model SKS, serial #01125 or 1701125, and ammunition.

D. If any of the property described in this forfeiture allegation, as a result of any act an omission of the defendant:

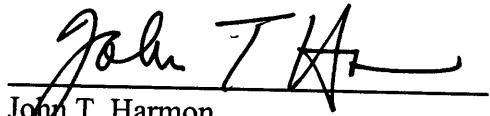
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be divided without

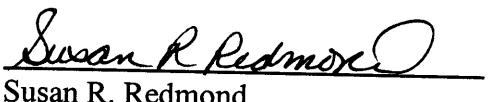
difficulty; the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an Order of this Court forfeiting any other property of said defendant up to the value of the property described in paragraphs B and C above, all in violation of Title 18, United States Code, Sections 922 and 924(d).

A TRUE BILL:


Foreperson


LEURA GARRETT CANARY
UNITED STATES ATTORNEY


John T. Harmon
Assistant United States Attorney


Susan R. Redmond
Assistant United States Attorney